IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 15766 of 2005

Between:

Jeena Sujit Kumar S/o.Satyanarayana
R/o.P.Varakha Village Borivanka Post, Srikakulam District.

..... PETITIONER

AND

1. The Revenue Divisional Officer, Tekkalli, Srikakulam District.
2. NTR University of Health Sciences Vijayawada, rep by its Registrar and Convener for Admission to MBBS Course.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the 1st respondent in not concluding the enquiry on the application of the petitioner dt.5.7.2005 for issuance of an S.T. Certificate as illegal and arbitrary and consequently direct the 1st respondent to complete the enquiry forthwith and further direct the 2nd respondent to consider the case of the petitioner for admission to MBBS course-2005 and grant provisional admission subject to production of the ST community certificate issued by the 1st respondent.

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.2: MR.D.V.NAGARJUNA BABU

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the first respondent in not issuing the caste certificate, which is required for production at the time of counselling.

According to the petitioner, he belongs to Bento Oriya community, which is stated to have been declared as a Scheduled Tribe. It is stated that the petitioner appeared for EAMCET-2005 and secured a rank of 21,029 and he is likely to get a seat for admission into MBBS course under the Scheduled Tribe Category. Therefore, he is required to produce the caste certificate showing that he belongs to Scheduled Tribe.

At the time of hearing, it is stated by the learned counsel for the petitioner that the petitioner made an application on 07.05.2005 to the first respondent for issuance of caste certificate. However, no certificate was issued by the first respondent. Hence, the petitioner has come up with the present writ petition.

Heard the learned counsel for the petitioner and the learned

Government Pleader for Social Welfare appearing for the respondents.

As it is stated that the EAMCET counselling for Phase 2 and 3 is scheduled to commence from 23.07.2005, it would be appropriate to direct the first respondent to issue caste certificate to the petitioner, if the claim is found to be genuine, expeditiously.

Accordingly, the first respondent is directed to make necessary enquiry with regard to the caste of the petitioner and issue caste certificate, if the claim is found to be genuine, or even otherwise also the first respondent is directed to pass a detailed order, expeditiously, preferably within a period of ten days from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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20.07.2005

Note: Send the operative portion by wire at party's cost.

(b/o)

VGB

To

1. The Revenue Divisional Officer, Tekkalli, Srikakulam District.
2. The Registrar, NTR University of Health Sciences Vijayawada,

and Convener for Admission to MBBS Course.

3. 2CCs to the Government Pleader for Social Welfare, High Court Buildings, Hyderabad. (OUT)

4. 2CD copies.